

REMARKS

Reconsideration of this application is respectfully requested.

The drawings were objected to under 37 CFR 1.83(a), specifically in that the outer toroidal bearing jacket is not shown in the drawings. Applicant has amended claims 1, 4 and 6-7 to state that the bearing jacket is circular, to conform to the drawings. Therefore it is believed that the objections to the drawings have been addressed and overcome. Also, claim 6 was rejected as indefinite, and applicant has removed the objectionable language to resolve this indefiniteness.

Claims 1-2 and 6-7 were rejected under 35 U.S.C. 102(b) as being anticipated by Hoerle (U.S. 2,022,348). Also, claims 1-7 were rejected under 35 U.S.C. 102(b) as being anticipated by Denner et al (U.S. 2,022,348).

Applicant has amended claims 1, 6 and 7 to more distinctly claim those features of his invention which are unique and novel over the prior art. Specifically, applicant has amended claim 1 to state that the present invention includes a generally cylindrical metal spanner tube which is "extending substantially the entire combined length of said central hubs of said first and second precision bearing units". The examiner has stated that the cited prior art devices each include generally cylindrical metal spanners, however, the cited elements from the Hoerle and Denner patents are each actually the pin/axle that support the wheel on the caster unit. In the present invention, the spanner is actually a tube which extends within the two precision bearing units and the axle fits within the spanner tube to ensure that the wheel is supported on the caster. It has been found that the use of the bearing units by themselves will often result in the wheel not functioning correctly after only a relatively short period of use. The use of the spanner tube, however, permits the two bearing units to work together to support the weight of the shopping cart, and this will eliminate much of the torqueing and twisting damage which is found in the wheels of shopping carts. Nowhere in the cited prior art is such a spanner tube shown or even suggested, and therefore it is believed that amended claims 1, 6 and 7 are now allowable over the cited prior art.

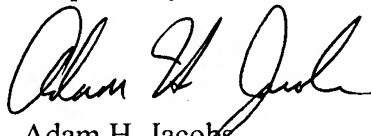
Regarding claims 2-5, these claims were rejected along with claim 1, but applicant wishes to clarify that he does not claim exclusive rights to the features defined in those claims independently, but rather only in combination with the present invention as defined in presently

1 amended claim 1. For the reasons expressed above in connection with claim 1 and for the structural
2 limitations added by these claims, claims 2-5 are believed to be allowable with claim 1.

3 Applicant is mailing this amendment after expiration of the three month response period but
4 within the second month's extension of time permitted by 37 C.F.R. § 1.136 and accompanied by the
5 fee set forth in 37 C.F.R. § 1.17(a), specifically on this 20th day of May, 2005.

6 This application is thus believed to be in condition for allowance of all claims remaining
7 herein, and such action is respectfully requested.

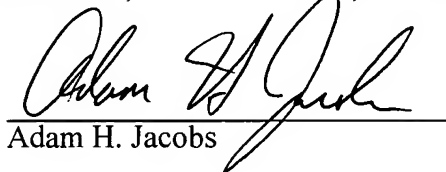
8 Respectfully submitted,

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17 CERTIFICATE OF MAILING

18 I hereby certify that this Amendment for an IMPROVED SHOPPING CART WHEEL, Serial
19 No 10/725,725, was mailed by first class mail, postage prepaid, to Mail Stop Non-Fee Amendment,
20 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20th day of May,
21 2005.

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